

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DATE FILED: 3/30/21

People of the State of New York,

Plaintiff,

—v—

Debt Resolve, Inc., et al.,

Defendants.

18-cv-9812 (AJN)

ORDER ADOPTING REPORT AND
RECOMMENDATION

ALISON J. NATHAN, District Judge:

On November 17, 2020, the Court referred Plaintiff's motion for default judgment against Defendant Hutton Ventures, LLC to Magistrate Judge Sarah Netburn. Dkt. No. 169. On February 4, 2021, Judge Netburn filed a Report & Recommendation ("R & R") recommending that the Court grant Plaintiff's motion for default judgment against Defendant Hutton Ventures LLC and enter Plaintiff's proposed default judgment and order. Dkt. Nos. 170, 166-1.

When considering the findings and recommendations of a Magistrate Judge, the Court may "accept, reject, or modify [them], in whole or in part." 28 U.S.C. § 636(b)(1). The Court must make a *de novo* determination of any portions of a magistrate's report or findings to which a party raises an objection, and reviews only for "clear error on the face of the record" when there are no timely objections to the R & R. *Banks v. Comm'r of Soc. Sec.*, No. 19-cv-929 (AJN) (SDA), 2020 WL 2765686, at *1 (S.D.N.Y. May 27, 2020); *see also Brennan v. Colvin*, No. 13-cv-6338 (AJN), 2015 WL 1402204, at *1 (S.D.N.Y. Mar. 25, 2015); *Hicks v. Ercole*, No. 09-cv-2531 (AJN) (MHD), 2015 WL 1266800, at *1 (S.D.N.Y. Mar. 18, 2015); *Gomez v. Brown*, 655 F. Supp. 2d 332, 341 (S.D.N.Y. 2009). Clear error is found only when, upon review of the entire record, the Court is left with "the definite and firm conviction that a mistake has been

committed.” *Laster v. Mancini*, No. 07-CV-8265 (DAB) (MHD), 2013 WL 5405468, at *2 (S.D.N.Y. Sept. 25, 2013) (quoting *United States v. Snow*, 462 F.3d 55, 72 (2d Cir. 2006)).

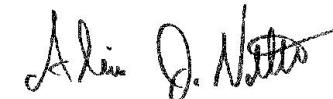
As of this date, no objections to the R & R have been filed, and the deadline for objections has passed. *See* R & R at 11. Thus, the Court reviews the R & R for clear error, and it finds none.

The Court therefore adopts the R & R in its entirety and GRANTS Plaintiff’s motion for default judgment against Defendant Hutton Ventures LLC. The Court will enter Plaintiff’s proposed default judgment and order. This resolves Dkt. No. 166.

The Clerk of Court is respectfully directed to close the case.

SO ORDERED.

Dated: March 30, 2021
New York, New York



ALISON J. NATHAN
United States District Judge